

LEGISLATIVE MINUTES

MARLBORO TOWNSHIP COUNCIL MEETING

APRIL 15, 2004

The Marlboro Township Council held a regularly scheduled Council Meeting on April 15, 2004 at 8:00 P.M. at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey.

Council President Mione opened the meeting and announced that pursuant to the provisions of the Open Public Meetings Act, notice of this regular meeting of the Township Council of the Township of Marlboro was faxed to the Asbury Park Press, the Star Ledger and News Transcript on January 5, 2004; faxed to the Board of Education Office; posted on the Bulletin Board of the Municipal Building and filed in the office of the Municipal Clerk.

The Clerk called the Roll.

PRESENT: Councilman Burrows, Council Vice President Denkensohn, Councilwoman Morelli, Councilman Pernice and Council President Mione.

Also present were: Mayor Robert Kleinberg, Andrew Bayer, Esq., Acting Business Administrator Judith Tiernan, Municipal Clerk Alida DeGaeta, and Deputy Clerk Deborah Usalowicz.

The following Resolution # 2004-113A (Authorizing Temporary Capital Budget) was introduced by reference, offered by Council Vice President Denkensohn, seconded by Councilman Burrows and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2004-113A

RESOLUTION ADOPTING A TEMPORARY BUDGET
CALENDAR YEAR 2004

WHEREAS, the Township of Marlboro desires to constitute the 2004 Temporary Capital budget of said municipality by inserting therein a Capital Project.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Marlboro as follows:

Section 1. The 2004 Temporary Capital Budget of the Township of Marlboro is hereby constituted by the adoption of a schedule to read as follows:

Temporary Capital Budget of the
Township of Marlboro
County of Monmouth, New Jersey

Project Scheduled for 2004

Method of Financing

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>
Acquisition of Marlboro State Hospital Property	\$100,000.00	\$5,000	95,000

Section 2. The Clerk be and is authorized and directed to file a certified copy of this resolution with the Division of Local Government Services, Department of Community Affairs, State of New Jersey, within three days after the adoption of this project for the 2004 Temporary Capital Budget, to be included in the 2004 Permanent Capital Budget as adopted.

The following Resolution #2004-114/Ord. #2004-6 (Bond Ordinance Providing Supplemental Appropriation of \$100,000 for Expenses Relating to Possible Acquisition of Marlboro State Hospital) was introduced by reference, offered by Council President Mione, seconded by Councilman Burrows and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2004-114

BE IT RESOLVED by the Township Council of the Township of Marlboro that an Ordinance entitled:

ORDINANCE # 2004-6

AN ORDINANCE OF THE TOWNSHIP OF MARLBORO, IN
THE COUNTY OF MONMOUTH, NEW JERSEY, PROVIDING
A SUPPLEMENTAL APPROPRIATION OF \$100,000 FOR
EXPENSES RELATING TO THE POSSIBLE ACQUISITION OF
MARLBORO STATE HOSPITAL AND PROVIDING FOR
THE ISSUANCE OF \$95,000 IN BONDS OR NOTES OF THE
TOWNSHIP OF MARLBORO TO FINANCE THE SAME

be introduced and passed on first reading and that the same
be advertised according to law; and

BE IT FURTHER RESOLVED that the same be considered for
final passage on April 29, 2004 at 8:00 p.m. at the
Marlboro Municipal Complex, 1979 Township Drive, Marlboro,
New Jersey, at which time all persons interested will be
given an opportunity to be heard concerning said ordinance.

ORDINANCE # 2004-6

AN ORDINANCE OF THE TOWNSHIP OF MARLBORO,
IN THE COUNTY OF MONMOUTH, NEW JERSEY,
PROVIDING A SUPPLEMENTAL APPROPRIATION OF
\$100,000 FOR EXPENSES RELATING TO THE
POSSIBLE ACQUISITION OF MARLBORO STATE
HOSPITAL AND PROVIDING FOR THE ISSUANCE OF
\$95,000 IN BONDS OR NOTES OF THE TOWNSHIP
OF MARLBORO TO FINANCE THE SAME.

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP
OF MARLBORO, IN THE COUNTY OF MONMOUTH, NEW JERSEY (not
less than two-thirds of all members thereof affirmatively
concurring), AS FOLLOWS:

Section 1. The improvement or purpose described in
Section 3 of this bond ordinance has heretofore been
authorized to be undertaken by the Township of Marlboro, in
the County of Monmouth, New Jersey (the "Township") as a
general improvement. For the improvement or purpose
described in Section 3 hereof, there is hereby appropriated
the supplemental amount of \$100,000, such sum being in
addition to the \$425,000 appropriated therefor by bond
ordinance no. 2000-28 of the Township, bond ordinance no.
2002-17 of the Township (as amended by bond ordinance no.
2003-4 of the Township) and bond ordinance 2003-11 of the

Township (collectively, the "Prior Ordinances"), and including the sum of \$5,000 as the down payment for the improvement or purpose required by the Local Bond Law. The down payment has been made available by virtue of provision in the capital improvement fund in one or more previously adopted budgets.

Section 2. In order to finance the additional cost of the improvement or purpose not covered by application of the additional down payment or otherwise provided for hereunder, negotiable bonds or notes are hereby authorized to be issued in the principal amount of \$95,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds or notes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for which the bonds or notes are to be issued is the payment of additional professional, legal, financial, advisory and planning expenses relating to the possible acquisition of the Marlboro State Hospital and associated properties, and including all rights or interests therein and all work and services necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is \$95,000 (in addition to the \$403,850 of bonds or notes authorized by the Prior Ordinances).

(c) The estimated cost of the improvement or purpose is \$100,000 (in addition to the \$425,000 appropriated by the Prior Ordinances).

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A.

40A:2-8.1. The chief financial officer is hereby authorized to sell part or all of the notes from time to time, at not less than par and accrued interest, at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget or temporary capital budget (as applicable) of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or amended temporary capital budget (as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose the Township may lawfully undertake as a general improvement, and no part of the costs thereof have been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the improvement or purpose, within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 15 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of

Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$95,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$100,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the improvement or purpose.

(e) The Township reasonably expects to commence the purpose described in Section 3 hereof, and to advance all or a portion of the costs in respect thereof, prior to the issuance of bonds or notes hereunder. To the extent such costs are advanced, the Township further reasonably expects to reimburse such expenditures from the proceeds of the bonds or notes authorized by this bond ordinance, in an aggregate amount not to exceed the amount of bonds or notes authorized in Section 2 hereof.

Section 7. Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized hereunder shall be reduced to the extent that such funds are so used.

Section 8. The full faith and credit of the Township is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 9. The Township hereby covenants to take any action necessary or refrain from taking such action in order to preserve the tax-exempt status of the bonds and notes authorized hereunder as is or may be required under the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder (the "Code"), including compliance with the Code with regard to the use,

expenditure, investment, timely reporting and rebate of investment earnings as may be required thereunder.

Section 10. To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

The following Resolution # 2004-115 (Swim Division Regulations and Fees 2004) was introduced by reference, offered by Councilman Burrows, seconded by Councilwoman Morelli and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2004-115

RESOLUTION ESTABLISHING ADDITIONAL SWIM DIVISION
REGULATIONS AND FEES FOR THE YEAR 2004

WHEREAS, Chapter 132 of the Marlboro Township Code, entitled "Swimming Pool Facility, Municipal", provides that certain swim facility regulations and fees shall be established by Resolution of the Township Council on an annual basis; and

WHEREAS, the Swim Division Board of Directors has reviewed the Swim Facility programs for the 2004 season and has proposed additional regulations and fees for approval by the Township Council; and

WHEREAS, the Township Council, having considered the proposed additional regulations and fees for 2004, now wishes to provide its approval of the same as follows.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED by the Township Council of the Township of Marlboro that the following additional regulations and fees for daily pass memberships shall be established for the 2004 season:

1. The number of daily pass memberships (dailies) which shall be available to residents for the 2004 season shall be limited to a maximum number of three hundred (300)

daily passes. A daily pass shall entitle the purchaser to use the facility, subject to specific regulations and in accordance with the schedule set forth below. On any given day, the sale of daily passes may be limited or curtailed by the Swim Club Director, based upon the scheduling of special programs and/or events, attendance at the facility, and/or the availability of parking. Daily passes shall entitle the purchaser to use the facility as follows in 2004:

Saturday, May 22 through Sunday, June 13 - During this period, daily passes will be available anytime the facility is open to the general membership.

Monday, June 14 through Friday, July 16 - Blackout Period - During this peak summer period, daily passes will not be available due to high attendance and limited parking at the facility.

Saturday, July 17 through Sunday, September 5 - During this period, daily passes will be available on the following days, anytime the facility is open to the general membership:

July 17th through July 31st

August 1st through August 6th

August 9th through September 1st
September 4th and September 5th

2. The fees for daily passes for the 2004 season shall be as follows:

- | | |
|---|--------|
| (a) Adult | \$8.00 |
| (b) Child [over 2 years of age,
under 21 years of age] | \$4.00 |
| (c) Senior [62 years of age
by May 1 st] | \$4.00 |

3. The following regulations shall apply to daily pass memberships:

- (a) A daily pass can only be used on the date of sale.

(b) There shall be no refund of the fee paid for a daily pass.

(c) Any child under the age of (15) years will not be permitted to enter the facility with a daily pass, unless accompanied by an adult.

(d) Any swim club rule or regulation applicable to the general membership shall also apply to any person entering the facility on a daily pass.

(e) The only program available to attendees using the swim facility on a daily pass shall be private swim lessons, which shall be available at an additional fee.

BE IT FURTHER RESOLVED that in accordance with Section 132-4L of the Township Code, the following additional regulations and fees shall be established for employee reimbursements for the 2004 season:

1. The reimbursement policy for any person completing the 2003 or 2004 Lifeguard Training Course offered by the Marlboro Swim Club shall be as follows:

If the person completing the Lifeguard Training Course is subsequently hired by the Marlboro Swim Club, that person shall be eligible for full or partial reimbursement of the course fee according to the following terms:

(a) During the first summer of employment, after completing the course the employee must be available to work the regular weekly schedule that is assigned to them. During the first summer of employment, the employee shall work no less than (250) hours, through and including Labor Day. [Special arrangements may be made if the employee must leave for college, or his or her regular employment prior to the Labor Day weekend.] Any employee meeting these terms will be mailed a reimbursement check in October for (50%) of the course fee paid. If an employee does not meet these terms, the employee's

reimbursement may be prorated at the discretion of the Swim Club Director.

- (b) During the second summer of employment, the employee must be available to work the regular weekly schedule that is assigned to them. During the second summer of employment, the employee shall work no less than (250) hours, through and including Labor Day. [Special arrangements may be made if the employee must leave for college or his or her regular employment or his or her regular employment prior to the Labor Day weekend.] Any employee meeting these terms will be mailed a reimbursement check in October for the remaining (50%) of the course fee paid. If an employee does not meet these terms, their reimbursement may be prorated at the discretion of the Swim Club Director.

2. If a swim club employee registers for a relevant course or program offered by an organization other than the Marlboro Swim Club, and if the employee taking the course or program intends to apply to the swim club for reimbursement for the cost of the course or program completed, that employee must receive prior authorization from the Swim Club Director in order to be eligible for such reimbursement. During the first summer of employment after completing the course or program, the employee must be available to work no less than (250) hours and work the regular weekly schedule that is assigned to them. If applicable, the employee must work through and including Labor Day. [Special arrangements may be made if the employee must leave for college, or for his or her regular employment prior to the Labor Day weekend.] Any employee meeting these terms will be mailed a reimbursement check in October for (50%) to (100%) of the course or program fee paid. The final amount of the reimbursement shall be determined by the Swim Club Director. If an employee does not meet these terms, the employee's reimbursement may be prorated at the discretion of the Swim Club Director.

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be provided to each of the following:

- (a) Arthur Lawrence, Swim Director
- (b) Marlboro Swim Club Division
- (c) Township Administrator

(d) Township Attorney

The following Resolution # 2004-116 (Reject and Rebid: Police In-Car Cameras) was introduced by reference, offered by Councilwoman Morelli seconded by Councilman Burrows, and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2004-116

BE IT RESOLVED by the Township Council of the Township of Marlboro that all bids heretofore received for

Police In-car Cameras

are hereby rejected and the Business Administrator is authorized and directed to return the bid bond or other security to the appropriate bidder.

BE IT FURTHER RESOLVED that the Business Administrator be and he is hereby authorized and directed to advertise for open, competitive bids for

Police In-car Cameras

as required by law.

The following Resolution # 2004-117(Award of Contract - Birdsall Engineering) was introduced by reference, offered by, Councilman vice President Denkensohn seconded by Councilwoman Morelli and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2004-117

A RESOLUTION AUTHORIZING THE EXECUTION OF A
CONTRACT FOR ENGINEERING CONSULTING SERVICES
BETWEEN THE TOWNSHIP OF MARLBORO AND BIRDSALL
ENGINEERING, INC.

WHEREAS, a vacancy exists in the position of Municipal Engineer that has not yet been filled; and

WHEREAS, as a result of said vacancy, a need exists for the Township of Marlboro to employ an engineering consultant to provide assistance to the Division of

Engineering until such time as a new Municipal Engineer is selected; and

WHEREAS, the Mayor has deemed it necessary and in the best interest of the municipality to hire Birdsall Engineering, Inc. to provide engineering consulting services to the Division of Engineering for a total amount not to exceed \$10,000.00; and

WHEREAS, the services to be provided are considered to be "Professional Services" pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1, *et seq.*; and

WHEREAS, the Local Public Contracts Law authorizes the awarding of a contract for "Professional Services" without public advertising for bids and bidding therefore, provided that the Resolution authorizing the contract and the contract itself be available for public inspection in the office of the Municipal Clerk and that notice of the awarding of the contract be published in a newspaper of general circulation in the municipality.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that the Mayor is hereby authorized to entered into a contract, in a form legally acceptable to the Township Attorney, between Birdsall Engineering, Inc. and the Township of Marlboro for the provision of engineering consulting services to the Division of Engineering for a total amount not to exceed \$10,000.00. Birdsall Engineering, Inc. shall perform only those services authorized by the Mayor or Business Administrator; and

BE IT FURTHER RESOLVED, that a certified copy of this Resolution shall be provided to each of the following:

- a. Birdsall Engineering, Inc.
- b. Township Administrator
- c. Township Chief Financial Officer
- d. Gluck, Walrath and Lanciano, LLP.

The following Resolution # 2004-118 (Cash Bond Release - Superior Development) was introduced by reference, offered by Councilman Pernice, seconded by Council President Mione and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2004-118

A RESOLUTION AUTHORIZING THE RELEASE OF A
CASH BOND POSTED IN CONNECTION WITH THE
CONSTRUCTION OF THREE LOTS IN THE
SUBDIVISION KNOWN AS WINDING BROOK

WHEREAS, the Township of Marlboro has received a request from Superior Development for the release of a \$5,000.00 Cash Bond being held by the Township in connection with the construction of three lots in the subdivision known as Winding Brook (the "Property"); and

WHEREAS, the Mayor and Township Council of the Township of Marlboro have received and reviewed a report from the Township Engineer dated March 4, 2004 (the "Engineer's Report"), a copy of which is attached hereto and made a part hereof; and

WHEREAS, the Engineer's Report recommends the release of the \$5,000.00 Cash Bond being held by the Township, without conditions; and

WHEREAS, the Township Council now desires to take the following action regarding the aforesaid Cash Bond.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, County of Monmouth, State of New Jersey, that the \$5,000.00 Cash Bond posted for the Property shall be released in its entirety, without conditions; and

BE IT FURTHER RESOLVED, that a certified copy of this Resolution shall be provided to each of the following:

- a. Superior Development
- b. Division of Engineering
- c. Chief Financial Officer
- d. Gluck, Walrath & Lanciano, LLP

The following Resolutions were introduced by reference, offered by Councilman Pernice, seconded by Councilwoman Morelli and passed on a roll call vote of 5 - 0 in favor: Res. # 2004-119 (Raffle License - St. Thomas the Apostle) and Res. # 2004-120 (Raffle License - Solomon Schechter).

RESOLUTION # 2004 -119

BE IT RESOLVED by the Township Council of the Township of Marlboro that a Raffle License # RL: 04-04 (On Premise Merchandise) be and it is hereby granted to St. Thomas the Apostle School, 333 Hwy. 18, Old Bridge, New Jersey 07746.

BE IT FURTHER RESOLVED that said Raffle will be held on May 10, 2004 at Bella Vista Country Club, 100 School Road East, Marlboro, New Jersey 07746 from 7AM - 3 PM.

RESOLUTION # 2004-120

BE IT RESOLVED by the Township Council of the Township of Marlboro that a Raffle License # RL: 05-04 (Off Premise Merchandise) be and it is hereby granted to Solomon Schechter Day School, 22 School Road East, Marlboro, N. J. 07746.

BE IT FURTHER RESOLVED that said Raffle will be held on June 10, 2004 at 2:30 PM at Solomon Schechter Day School, 22 School Road East, Marlboro, N. J. 07746.

The following Resolution # 2004-121 (Deferring School Taxes) was introduced by reference, offered by Councilwoman Morelli, seconded by Council Vice President Denkensohn and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2004-121

WHEREAS, the Township Council of the Township of Marlboro, County of Monmouth, State of New Jersey wish to increase the Township's deferred school taxes as promulgated by the Division of Local Government Services.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Marlboro, County of Monmouth, State of New Jersey to increase the Township's deferred school taxes, as of December 31, 2004, as follows:

	<u>FROM</u>	<u>TO</u>	<u>INCREASE</u>
Local District School	\$20,283,000.00	\$22,283,000.00	\$2,000,000.00
Regional H.S. Tax	<u>8,886,761.79</u>	<u>10,136,761.79</u>	<u>1,250,000.00</u>
	<u>\$29,169,761.79</u>	<u>\$32,419,761.79</u>	<u>\$3,250,000.00</u>

BE IT FURTHER RESOLVED that the Township Clerk of the Township of Marlboro be directed to file three certified copies of this resolution with the Division of Local Government Services.

The following Resolution # 2004-122 (Introduction of 2004 Municipal Budget) was introduced by reference, offered by Councilwoman Morelli and seconded by Council Vice President Denkensohn. Discussion followed, after which it was Council's consensus to increase line items for Little League and Pop Warner to \$7,000 each. Auditor Thomas Fallon was present for discussion and answered questions from Council. After discussion, Res. #2004-122 was passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2004-122

Section 1.

Municipal Budget of the Township of Marlboro, County of Monmouth for the Year 2004.

BE IT RESOLVED, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the Fiscal year 2004;

BE IT FURTHER RESOLVED, that said Budget be published in the Asbury Park Press in the issue of April 22, 2004.

The Governing Body of the Township of Marlboro does hereby approve the following as the Budget for the Year 2004,

Notice is hereby given that the Budget and the Tax Resolution was approved by the Governing Body of the Township of Marlboro, County of Monmouth, on April 15, 2004.

A Hearing on the Budget and Tax Resolution will be held at Town Hall/Municipal Building, on May 27, 2004 at 8:PM at which time and place objections to said Budget and Tax Resolution for the year 2004 may be presented by taxpayers or other interested persons.

* Copies of attached material to be found in regular minute book in Clerk's office.

Councilman Denkensohn left the room at 11:15 PM.

At 11:20PM, Councilwoman Morelli moved that the meeting go into executive session for reason of discussing personnel and contract negotiations. This was seconded by Councilman Pernice, and as there was no objection, the Clerk was asked to cast one ballot (Absent: Denkensohn).

RESOLUTION # 2004-123

WHEREAS, it is determined by the governing body of the Township of Marlboro that it is necessary on the 15th day of April, 2004 to go into executive session for the purpose of discussing those items that are particularly exempted from the Open Public Meetings Act, namely, acquisition of property, contract negotiations, litigation and personnel.

BE IT FURTHER RESOLVED that the governing body shall adjourn to executive session for the purpose of discussing said aforementioned items and that such executive session should take approximately 120 minutes. Those items discussed in executive session shall remain confidential until such time as confidentiality is no longer required. Action may be taken following the executive session.

At 1:13AM, Council President Mione moved that the executive session be opened. This was seconded by Councilwoman Morelli, and as there was no objection, the Clerk was asked to cast one ballot (Absent: Denkensohn).

At 1:15AM, Council President Mione moved that the meeting be adjourned. This was seconded by Councilwoman Morelli, and as there was no objection, the Clerk was asked to cast one ballot (Absent: Denkensohn).

MINUTES APPROVED: May 27, 2004

OFFERED BY: Denkensohn

AYES: 4

SECONDED BY: Mione

NAYS: 0

ABSENT: Morelli

ALIDA DE GAETA
MUNICIPAL CLERK

JAMES MIONE
COUNCIL PRESIDENT

